

**Corrected/Amended Notice of Applicable Constitution Case Law
and Information**

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To whom all these presents shall come and Thomas Bradley and Sharon Gleason and Virginia White, Illinois Judge:

Bennett v. Boggs, 1 Baldw 60, "Statutes that Violate the plain and obvious principles of Common Right and common reason are null and void

Davis v. Wechsler, 263 US 22, 24, Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.

Miller v. Arizona, 384 US 22, 24 The claim and exercise of a constitutional right cannot be converted into a crime.

Norton v. Shelby County, 118 U.S. 425 p.442, An unconstitutional act is not law, it confers no rights, it imposes no duties, affords no protection, it creates no office, it is in *legal - you* contemplation, as inoperative as though it had never been passed.

Cooper v. Aaron, 358 us 1,78 s. Ct. 1401 (1958) Any Judge that does not comply with the oath to uphold the constitution of the United States of America wars against the Constitution, acts in violation of the Supreme law of the land The Judge is engaged in the act of treason. See also in re Sawyer, 124 US 200(188); US v. Will, 449 US 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); Cohens v. Virginia 19 US (6 Wheat) 264, 404, 5 L.257 (1821)

Scheuer v. Rhodes, 416 US 232, 94 S. Ct. 1683, 1687 (1974), Note: By law a Judge is a State officer. The Judge then acts not as a Judge , but as a private individual (in his person). When a Judge acts as a trespasser of the law, when a Judge does not follow

the law, the Judge loses subject matter jurisdiction and the Judges orders are not voidable, But Void.

Miller v. US, 230 F. 2d. 486, 490;42 There can be no sanction or penalty imposed upon one, because of his exercise of Constitutional rights.

Sims v. Aherns, 271 SW 720 (1925) The practice of law is an occupation of COMMON RIGHT. Because of what appears to be lawful command on the surface, many Citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights due to ignorance.

Donelly v. dechristoforo, 1974. SCT.41709 56; 416 US 637 (1974) McNally v. US, 483 US 350. 371-372. Quoting US v Holzer, 816 F.2d. 304, 307, Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,...and if deliberately conceals material information from them he is guilty of fraud. The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings.

Hagans v. Lavine 415 U.S. 533 A judgment rendered by a court without personal jurisdiction over the defendant is void. It is nullity.

Stock v. Medical Examiners 94 Ca 2d 751. 211 P2d 289 In Interest of M.V., 288 I11. App.3d 300, 681 N.E. 2d 532 (1st Dist. 1997) Where Courts power to act is controlled by Statute, the court is governed by the rules of limited jurisdiction, and courts exercising jurisdiction over such matters must proceed within the structures of the statue, and courts exercising jurisdiction over such matters must proceed within the structures of the Statute. The State Citizen is immune from any and all Government attacks and procedure, absent contract. See, **Dred Scott v. Sanford, 60 U.S. (19 How.) 393** or as the supreme court has stated clearly, "...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent". **Cruden v. Neil (1796)**

Porter v. State, 391 N.E. 2d 801, 808-809. When Governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation....**U.S. v. Burr, 309 U.S. 242 See:22 USCA. 286c, Bank of USv. Planters Bank of Georgia, 61, Ed. (9 Wheat) 244; 22 USCA 286 et seq., CRS 11-60-103**

Poindexter v. Greenhow, 114 US 270, 303 (1885) Brady v. US, 397 U.S, 742, 748, (1970) Waivers of Constitutional rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness.

Nudd v. Burrows, 91 US 426, Fraud vitiates everything

U.S. v. Throckmorton, 98 US 61 Whereas, officials and even Judges have no immunity (See. **Owen v. City of Independence, 100 S. Ct. 1398; Maine v. Thiboutot, 100 S Ct. 2502; and Hafer v. Melo, 502 US 21**) officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law. They cannot plead ignorance of the law either

Williamson v. U.S. Department of Agriculture, 815 F 2d. 369, ACLU Foundations v. Barr, 952 F. 2d. 457, 293 U.S. App. DC 101, (CA DC 1991). It is the duty of all officials whether legislative, judicial, executive, administrative, or ministerial to perform every official act as not to violate constitutional provisions.

Alexander v. Bothswort, 1915, Party cannot be bound by contract that he has not made or authorized, Free consent is an indispensable element in making valid contracts.

Hayle v. Henkel 201 US 43 at 89 (1906) Hale v. Henkel was decided by the united States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "his Constitutional Rights" as a CITIZEN. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited." He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. "His rights" are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the organization of the State", and can only be taken from him by "due process of law", and "in accordance with the Constitution." "He owes nothing" to the public so long as he does not trespass upon their rights."

In Re Newman (1858), 9,. 47. As a General rule men have the natural right to do anything which their inclinations may suggest, if it be not evil in itself, and in non way impairs the rights of others.

Injunction: Injunction lies against enforcement of void statute or ordinance, where legal remedy is not as complete or adequate as injunction, or where threatened or attempted enforcement will do irreparable injury to person in interfering with exercise of common right fundamental personal right. Irreparable injury is an injury of such a nature that fair and reasonable redress may not be had in a court of law and that to refuse the injunction would be a denial of justice.

USC Title 42 1986 Action for neglect to prevent..., it states: Every person who having knowledge that any wrongs conspired or to be done... and having power to prevent or aid in preventing.. Neglects or refuses so to do....shall be liable to a party injured...and; the means of knowledge, especially where it consists of public record is deemed in law to be knowledge of the facts. As the means of knowledge if it appears that the individual had notice or information of the circumstances which would put him on inquiry, which, if followed, would lead to knowledge, or that the facts were presumptively within his knowledge, he will have deemed to have had actual knowledge of the facts and may be

subsequently liable for any damage or injury. You, therefore, have been given knowledge of the facts as it pertains to the conspiracy.

LoBue v. Porazzo, 48 Cal. App. 2d 82, 119, p.2d 346, 348. Failure to reveal the material facts of a license or any agreement is immediate grounds for estoppel.

Nestor v. Hershey, 425 F2d 504, The high Courts have further decreed that want for jurisdiction makes all acts of judges, magistrates, U.S. Marshalls, sheriffs, local police, all void and not just voidable.

Reynolds v. Volunteer state life ins. co. , Tex. Civ.App., 80 s.w.2d 1087, 1092. Void Judgment- One which has no legal force or effect, invalidity of which may be asserted by any person whose rights are affected at any time and at any place directly or collaterally.

A law which authorizes the taking of private property without compensation,...cannot be considered as due process of law in a free government, **Chicago etc. R.R. Co. v Chicago**

The laws of Nature or the laws of God, whose authority can be superseded by no power on earth. A legislature must not obstruct our obedience to him from whose punishments they cannot protect us. All human Constitutions which contradict his (Gods) laws, we are in conscience bound to disobey. **1772. Robin v Hardaway 1 Jefferson 109.**

Norton v. Shelby County, 118 US 425. An unconstitutional law is not a law, it confers no rights, imposes no duties, and affords no protection.

City of Dallas, et al. v. Mitchell, 245 s.w. 944, 945-46 (1922) The rights of the individual are not derived from governmental agencies, either municipal, state, or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution , and restricted only to the extent that they have been voluntarily surrendered by citizenship to the agencies of government. The people's rights are not derived from the government, but the government's authority comes from the people. The Constitution states again these rights are not existing, and when legislative encroachment by the nation, state, or municipality invades these original and permanent rights , it is the duty of the courts to so declare, and afford the necessary relief.

Ellingham v. Dye Ind., 336; NE 1; 231 U.S. 250; 58 L. Ed. 206; 34 S. Ct. 92 A Constitution is designated as a supreme enactment, a fundamental act of legislation by the people of the State. A Constitution is legislation direct from the people acting in their sovereign capacity, while a statute is legislation from the representatives, subject to limitations prescribed by the superior authority.

Miranda v Arizona 384 US 436 p. 491 When rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.

16 Am Jur 2nd, sec 177 late 2d, Sec 256 No one is bound to obey an unconstitutional law and no courts are bound to enforce it

Waring v. the mayor of Savannah, People are supreme, not the state.

(added Stats. 1953, c. 1588, p.3270) The people of the state do not yield sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for the people to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

State v. Chase, 175 Minn, 259, 220 N.W. 951, 953. The government is but an agency to the state, the state being the sovereign people.

Perry v. United States, 294 U.S. 330, 353 (1935) The Congress cannot revoke the Sovereign power of the people to override their will as this declared.

Will v. Michigan Dept. of State Police The Doctrine of Sovereign Immunity is one of common-law immunities and defense that are available to the Sovereign... of Minnesota

Lansing v. Smith, (1829) 4 Wendell 9, (NY). The people of the state, as the successors of its former sovereign, are entitled to all the rights which formally belonged to the king by his own prerogative.

Sovereignty- itself is; of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies or government, sovereignty itself remains with the people, by whom and for whom all government exists and acts, and the law is the definition and limitation of power.

Roger v. Marshall (United States use of Rogers v. Conklin), 1 Wall. (US) 644, 17 Led 714 The officers of the law, in the execution of process, are required to know the requirements of the law, and if they mistake them, whether through ignorance or design, and anyone is harmed by their error they must respond in damages.

Cooper v. O'Conner, 59 App DC 100, 99 F (2d) It is a general rule that an officer, executive, administrative, quasi-judicial, ministerial, or otherwise, who acts outside the scope of his jurisdiction, and without authorization of law may thereby render himself amenable to personal liability in a civil suit.

Afcio v. Woodard, 406 f 3d 137 t. Public officials are not immune from suit when they transcend their lawful authority by invading constitutional rights.

Government Immunity-- In Land v. Dollar, 338 US 731 (1947), the court noted, That when the government entered into the commercial field of activity , it left immunity behind. **Brady v. Roosevelt, FHA v. Burr and Kiefer v. RFC**

Luckenbeck v. The Thekla, 295 F 1020., 226 US 328 The high Courts, through their citations of authority, have frequently declared that "...Where any state proceeds against a private individual in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by direct or collateral means regarding the matters involved.

When enforcing mere statutes, judges of all courts do not act judicially (and thus are not protected by qualified or limited immunity,- SEE: **Owen v city, 445 US 662' Bothke v. Terry, 713 Fsd 1404)** –but merely act as an extension as an agent for the involved agency but only in a ministerial and not a discretionary capacity...**Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, US 464.** Immunity for judges does not extend to acts which are clearly outside of jurisdiction. **Bauers v. Heisel, C.A. N.J. 1966, 361 F.2nd 581, cert. Den. 87 S. Ct. 1367, 386 US 1021, 18 L.Ed. 2d 457**

Lezama v Justice Court A025829, Judges not only can be sued over their official acts, but could be held liable for injunctive and declaratory relief and attorney's fees.

Bradley v. Fisher, 13 wall 335, 251. Manning v. Ketcham, 58 F. 2d 948. Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68;

US v. Will, 449 US 200, 216, 101, S. Ct., 471 , 66 Led2nd 392, 406 (1980) Cohens v Virginia, 19 US (6 Wheat) 264, 404, 5LEd 257 (1821) When a Judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason.

Corpus Delicti... Sherer v Cullen, 481 F. 945; For a crime to exist, there must be an injured party (Corpus Delicti) there can be no sanction or penalty imposed on one because of this Constitutional right. See also.. **Gibson v. Boyle, 139 Ariz. 512** With no injured party, a complaint is invalid on its face. Also see... **People v. Lopez, 62 Ca. Rptr. 47, 254 C.A. 2d 185.** Supreme Courts ruled "Without Corpus Delicti there can be no crime", in every prosecution for a crime it is necessary to establish the Corpus delicti. **Numerous other rulings stating the same thing in every case**

Rodriques v. Ray Donovan (US Department of labor), 769 F. 2d 1344, 1348 (1985)
All codes, rules and regulations are applicable to the government authorities only, not Human/Creators in accordance with God's laws. All codes, rules and regulations are Unconstitutional and lacking in due process.

UCC 1-201 General Definitions (27) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, public corporation, or any other legal or commercial entity. **Also see American Law and Procedure, Vol. 13, page 137, 1910**

Afroyim v. Rusk, 387 US 253 (1967) In the United States the people are sovereign and the government cannot sever its relationship to the people by taking away their citizenship.

Lansing v. Smith, 4 Wendel 19, 20 (1829) The people of a State are entitled to all rights which formerly belonged to the King by his prerogative.

Wilson v. Omaha Indian Tribe, 422 US 653, 667 (1979) In Common usage, the term person does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it. NUMEROUS OTHER RULINGS STATING THE SAME THING AS THIS CASE.

Church of Scientology v. US Department of Justice, 612 F.2d 417, 425 (1979) The word person in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings.

USC Title 28 Part IV, Chapter 97- Jurisdictional immunities of Foreign States 1604 Immunity of a foreign State from jurisdiction Subject to existing international agreements to which the United States is a party at the time of enactment of this Act foreign state shall be immune from the jurisdiction of the courts of the United States and of the States except as provided in sections 1605 to 1607 of this chapter.

Volume 20: Corpus Juris Sec. 1785 we find “The United States government is a foreign corporation with respect to a State” (see: NY re: Merriam 36 N.E. 505 1441 S. O. 1973, 14 L. Ed. 287)

District of Columbia (the United States) created by congressional act of 1871 , which states the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded...

Also See... “The idea prevails with some, indeed it has expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with its restrictions; the other to be maintained by Congress outside and independently of the instrument, by exercising such powers as other nations of the earth are accustomed to... I take leave to say that, if the principals thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system will result. We will, in that event, pass from the era of legislative absolutism.... It will be an evil day for American Liberty in our Constitutional Jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violations of the principles of the Constitution.” **Honorable Supreme Court Justice John Harlan in the 1901 case of Downes v. Bidwell**.

Budd v. The people of the State of New York, 143 US 517 (1892) Men are endowed by their Creator with certain unalienable rights, life, liberty, and the pursuit of happiness, and to secure not grant or create, these rights, governments are instituted that property or income which a man has honestly acquired he retains full control of.

Black's law dictionary, fifth edition, p.241 color of law The appearance or semblance, without the substance, of legal right. Misuse of Power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under Color of law **Atkins v. Lanning, DC Okl., 415 F. Supp. 186, 188.**

USC TITLE 18 PART I CHAPTER 13, 241 Conspiracy against rights
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Alexander v. Bothsworth, 1915 Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts.

Gallegos v. Haggerty, N.D. of New York, 689 F. Supp 93 (1988) Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but the defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it. Creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation.

S.C.R. 1795, Penhallow v. Doane's Administrators 3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54
Inasmuch as every government is an artificial Person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.

Wheeling Steel Corp. v. Fox, 298 US 193, 80 L.Ed. 1143, 56 S. Ct. 773...the contracts between them "involve U.S. citizens, which are deemed as Corporate Entities; Therefore, the US Citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an individual entity.

District of Columbia Code 27 CFR 7211 Commercial crimes. Any of the following types of crimes Federal or State: Offenses against the revenue laws, burglary, counterfeiting, forgery, kidnapping, larceny, robbery, illegal, sale or possession of deadly weapons, prostitution including soliciting procuring, pandering, white slaving, keeping house of ill fame, and like offenses, extortion, swindling and confidence games, and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes. Addiction to narcotic drugs and use of Marijuana will be treated as if such were commercial crimes. Which means that the so called Judge is actually a Clerk working for the prosecutor When acting to enforce a statute and its subsequent amendments to the present date , the judge of the municipal court and state court is acting as an administrative officer and not in a judicial capacity; courts administrating or enforcing

statutes do not act judicially but merely act as an extension as an agent for the involved agency- but only in a ministerial and not a discretionary capacity.

KC Davis ADMIN LAW Ch. 1 (CTP Wests 1965 Ed.) judges who become involved in enforcement of mere statutes (civil or criminal in nature otherwise) act as mere clerks of the involved agency....also see **Owen v City, 455 US 662** When acting as a clerk judges are not protected by qualified or limited immunity.

Blacks Law Dictionary, 6th Edition, p 868 Kangaroo Court- Term descriptive of a sham legal proceeding in which a person's rights are totally disregarded and in which the result is a foregone conclusion because of the bias of the court or other tribunal.

Maxims of Law, Black's Law Dictionary, 9th edition, p. 1832 "Fraus et jus nunquam cohabitant. Fraud and Justice never dwell together".

The Constitution of the United States of America requires that lawful Article III Judges be provided. **ART. III**

Bond v. United States 572 US(2014) case number 12-158 All District of Columbia territorial courts that first sentence was missing. are using their Uniform Commercial Code which is controlled and regulated by the UNIDROIT Treaty, (International institute for the unification of Private law). Which the UNITED STATES, INC. has been a signatory to for over 30 years which is unconstitutional, because the Treaty power can only be used externally. Therefore the courts have no authority to use UNIDROIT Treaty in America and the use of Uniform Commercial code is unconstitutional

Mayor of New Orleans v. United States, 10 pet. 662, 736 the government of the United States...is one of limited powers. It can exercise authority over no subjects, except those which have been delegated to it. Congress cannot, by legislation, enlarge the federal jurisdiction, nor can it be enlarged under the treaty-making power.

By: 
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